

DANIEL R. KRUSE (OSB 064023)  
Daniel R. Kruse, Attorney at Law  
101 East Broadway, Suite 130  
Eugene, OR 97401  
Phone: (541) 687-6788  
Fax: (541) 345-3373  
Email: dan@speaktthelaw.com

*Attorney for Plaintiffs*

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**  
**EUGENE DIVISION**

**CASCADIA WILDLANDS, THE  
CENTER FOR BIOLOGICAL  
DIVERSITY, and AUDUBON SOCIETY  
OF PORTLAND,**

Plaintiffs,

v.

**SCOTT TIMBER CO., ROSEBURG  
RESOURCES CO., and RLC  
INDUSTRIES CO.,**

Defendants.

Case No.: 6:16-CV-01710-AA

**STIPULATED ORDER RE:  
FURTHER PROCEEDINGS**

Before the Court is the parties' stipulated motion for an order regarding further proceedings. The Court has reviewed the stipulated motion and is fully informed. Based on the stipulation of the parties and for good cause shown, the stipulated motion is granted and the Court hereby orders the following:

1. **Schedule for trial.** A bench trial will commence May 6, 2019 in the United States District Court for the District of Oregon in Eugene, Oregon. Trial is expected to last five days.


2. **Pre-trial deadlines and submissions.** The parties have already submitted pretrial disclosures, objections, trial briefs, and a joint pretrial order. Any supplemental pretrial disclosures shall be submitted by March 22, 2019. The parties have stipulated that supplemental pretrial disclosures shall be limited in scope to (1) information related to Defendants' recent and ongoing maintenance of the Benson Ridge parcel, and (2) scientific papers or studies previously identified in expert reports. Discovery in this matter, including expert discovery, is otherwise closed. Motions in limine and objections to the supplemental pretrial disclosures shall be filed by April 3, 2019. Responses to motions in limine or objections to the supplemental pretrial disclosures shall be filed by April 8, 2019. A pretrial conference will be held on April 23, 2019 at 9:00 a.m. in the United States District Court for the District of Oregon in Eugene, Oregon.

3. **Ground disturbing activities.** Defendants shall not engage in the cutting or removing of trees within the Benson Ridge parcel before the Court reaches a final decision on the merits.

**IT IS SO ORDERED.**

The District Court Clerk is hereby directed to enter this Order and provide copies to counsel.

DATED March 1, 2019.

  
\_\_\_\_\_  
The Honorable Ann Aiken  
United States District Judge

**Motion and Stipulation:**

The parties hereby agree and stipulate to the foregoing and move the Court for entry of the proposed order regarding further proceedings.

Submitted this 1st day of March, 2019 by:

/s/ Daniel R. Kruse

DANIEL R. KRUSE (OSB 064023)

dan@speaktthelaw.com

101 East Broadway, Suite 130

Eugene, OR 97401

(541) 687-6788

(541) 345-3373 (fax)

NICHOLAS S. CADY (OSB 113463)

nick@casewild.org

Cascadia Wildlands

PO Box 10455

Eugene, Oregon 97455

(541) 434-1463

(541) 434-6494 (fax)

BRIAN P. SEGEE (*pro hac vice*)

bsegee@biologicaldiversity.org

Center for Biological Diversity

P.O. Box 1646

Ojai, CA 93024

(802) 750-8852

DANIEL C. SNYDER (OSB 105127)

dan@tebbuttllaw.com

Law Offices of Charles M. Tebbutt, PC

941 Lawrence St.

Eugene, OR 97401

(541) 344-3505

(541) 344-3516 (fax)

*For Plaintiffs*

/s/ Dominic M. Carollo

DOMINIC M. CAROLLO (OSB 093057)

dcarollo@yockimlaw.com

Yockim Carollo LLP

430 SE Main Street

PO Box 2456

Roseburg, Oregon 97470

(541) 957-5900

(541) 957-5923 (fax)

*For Defendants*